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FM AMCONSUL KOLKATA
TO RUEHC/SECSTATE WASHDC PRIORITY 1817
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
RUEAIIA/CIA WASHDC
RHMFIUU/CDR USPACOM HONOLULU HI
RUEHGO/AMEMBASSY RANGOON 0376
RUEHCI/AMCONSUL KOLKATA 2221

UNCLAS KOLKATA 000001

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E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [IN](#)

SUBJECT: PRESIDENT'S RULE IMMINENT IN BJP-CONTROLLED NAGALAND

REF: 2007 Kolkata 382

11. (U) Summary: The Union Cabinet has recommended implementation of President's Rule in the Northeast Indian state of Nagaland, currently ruled by the Bharatiya Janata Party (BJP)-backed Democratic Alliance of Nagaland (DAN) coalition and with Congress as the main opposition party. Current Chief Minister Neiphiu Rio's government had survived a controversial no-confidence motion in the state assembly last December, but Congress insistence of constitutional improprieties in the vote sparked their likely successful call for GOI intervention. Congress is eager to undermine BJP influence after recent losses in Gujarat and Himachal Pradesh, but will have to walk a fine line to both win upcoming state elections and protect the peace process with local insurgent groups. End summary.

A Move Before State Polls

12. (U) The Union Cabinet has recommended implementation of President's Rule in the Northeast Indian state of Nagaland, currently ruled by the Bharatiya Janata Party (BJP)-backed Democratic Alliance of Nagaland (DAN) coalition and with Congress as the main opposition party. State elections are normally scheduled for March 2008 when the tenure of the current assembly expires. The GOI's January 1 decision to impose President's Rule still needs the signature of President Pratibha Patil to go into effect.

13. (U) On December 13, 2007, Chief Minister Neiphiu Rio's government survived a controversial no-confidence motion in the Nagaland state assembly. Congress alleged that the motion was defeated 23-19 because the Speaker of the assembly barred three Independents from voting and also declared the votes of nine dissident legislators from Rio's Nagaland People's Front (NPF) invalid. On December 23, 2007, thirty state legislators met with President Patil seeking dismissal of the Rio government, claiming that constitutional improprieties had taken place during the no-confidence vote.

Defections Create a Minority Regime

14. (U) The politicking in the state assembly had been going on for some time. The Rio government initially included the NPF, BJP and the Janata Dal (United) but JD (U) legislators defected and joined Congress (reftel). The assembly was reduced to 55 from its normal number of 60 following the resignation of five legislators -- four from the NPF and one BJP -- over the past six months. Of the 24 legislators now in government, the NPF has 18 and the BJP six. The opposition now has 17 Congress legislators, two from JD (U), three Independents and nine NPF defectors.

15. (U) DAN has accused Congress of engineering defections to topple the government and Chief Minister Rio said the move to impose President's Rule was unconstitutional since his

government was democratically elected and won the December 13 confidence vote. The Leader of the Opposition, I. Imkong, told Post that DAN was voted out of power and President's Rule - to be announced in a couple of days - would validate his claims. He also told Post that although the Rio government's term would finish in March, Congress sought President's Rule because it does not want elections to be held with DAN members in government and in control of state and police machinery.

Congress Stalwart Back, but Treading Cautiously

¶16. (U) Current Goa Governor S.C. Jamir, who lost the Chief Minister job to Rio in 2003, is desperate for a Congress comeback in Nagaland and to regain his old job. Jamir escaped an attempt on his life during a November 2007 visit to Nagaland allegedly by the insurgent National Socialist Council of Nagalim - Isak Muivah (NSCN-IM) (Jamir and Congress are supported by NSCN-IM's rival faction NSCN-Khaplang). Despite a recent cessation of hostilities between the two militant factions, Jamir continues to be hostile towards the NSCN-IM because the NSCN-IM played a role in bringing Rio to power in 2003.

¶17. (U) Comment: Though the basis for imposing President's Rule is vague, it is likely that President Patil will sign off on the decision. Recent Congress defeats in Gujarat and Himachal Pradesh have made Congress eager to wrest a victory from the BJP. The Congress objective at this point is to gain an electoral edge by imposing Central rule and undermining the BJP coalition's influence during elections season in Nagaland. At the same time, they do not want to upset the NSCN-IM significantly and destabilize the peace negotiations. Congress may try to walk a "middle-ground" by not holding out Jamir as its man for chief minister, knowing that they have the option of announcing their candidate after poll results are declared.

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